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American Health Care Association

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March 28, 2005

The Honorable Bill Nelson
United States Senate
Washington, DC 20515

Dear Senator Nelson:

I am writing on behalf of the American Health Care Association and the National Center For Assisted Living, the nation's leading long term care organizations. AHCA/NCAL represent more than 10,000 non-profit and proprietary facilities dedicated to continuous improvement in the delivery of professional and compassionate care for our nation's frail, elderly and disabled citizens who live in nursing facilities, assisted living residences, sub acute centers and homes for persons with mental retardation and developmental disabilities. AHCA/NCAL and their membership are committed to performance excellence and Quality First, a covenant for healthy, affordable and ethical long term care.

We would like to add our support to the bipartisan legislation that you introduced with Senators Lugar and Rockefeller, The Advance Directives Improvement and Education Act of 2005 (S. 347). This important piece of legislation will improve access to information about individuals' health care options and legal rights for care near the end of life and improve their understanding of the importance of advance directives, as well as give them the opportunity to discuss their options with their doctor. Because only 15 to 20% of Americans currently have an advance directive, the need for better education and outreach is substantial.

Legislation that promotes more specific education for Medicare beneficiaries by paying for a physician's visit; funding a Department of Health and Human Services public education campaign and information clearing house where consumers could receive state-specific information; and creating a "portable" advance directive would help ensure that consumers wishes were appropriately followed.

We in the long term care profession take seriously our legal obligation to ensure advance directives are carried out adequately and appropriately. Ever since the passage of the Patient Self-Determination Act of 1990, which requires that health care providers tell patients about advance directives – AHCA has actively and consistently educated long term care (LTC) providers about their responsibilities to

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new patients and their families. In fact, we have just updated an educational brochure on advance directives as a resource for consumers. The brochure "Advance Directives: Make Sure Your Wishes Are Known" is free to the public at www.longtermcareliving.com. Thank you for your sponsorship of this important piece of legislation. We look forward to working with you to see that it becomes law.

Sincerely,

A handwritten signature in black ink, appearing to read "Hal Daub", written over a horizontal line.

Hal Daub
CEO and President